

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

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RALPH WILSON LINGO,)
)
 Petitioner,)
)
 v.)
)
 SHERIFF HERBIE JOHNSON, et al.,)
)
 Respondents.)


CASE NO. 1:06-CV-703-MHT

MOTION TO WITHDRAW ACCEPTANCE AND WAIVER

The Attorney General of the State of Alabama moves to withdraw the Acceptance and Waiver filed by this Office on November 16, 2006. The Acceptance and Waiver was inadvertently filed in this matter by the undersigned Assistant Attorney General. The interests of the State of Alabama in this matter are represented by Assistant Attorney General Robin Blevins Scales rather than the undersigned.

Respectfully submitted,

TROY KING, KIN047
ATTORNEY GENERAL



ROSA H. DAVIS, DAV043
ASSISTANT ATTORNEY GENERAL

CERTIFICATE OF SERVICE

I hereby certify that I have this 6th day of December, 2006, served a copy of the foregoing
by first-class United States Mail, postage prepaid and addressed upon the following:

J. Robert Faulk, Esquire
McDowell, Faulk & McDowell, L.L.C.
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Prattville, Alabama 36067

Robin D. Scales, Esquire
Assistant Attorney General
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§6-6-227. Persons to be made parties; rights of persons not parties.

All persons shall be made parties, who have, or claim, any interest which would be affected by the declaration, and no declaration shall prejudice the rights of persons not parties to the proceeding. In any proceeding which involves the validity of a municipal ordinance, or franchise, such municipality shall be made a party and shall be entitled to be heard; and if the statute, ordinance, or franchise is alleged to be unconstitutional, the Attorney General of the state shall also be served with a copy of the proceeding and be entitled to be heard. (Act 1935, No. 355, p. 777; Code 1940, T.7, § 166.)